

# **WIC**

# **CIVIL RIGHTS**

# **TRAINING**



**LOUISIANA WIC PROGRAM**

**2000**

## **INTRODUCTION**

When the term “Civil Rights” is used, many of us flash in our minds to a picture of a 1960’s demonstration. Civil rights laws, however, began in the United States when the Bill of Rights was ratified. They are part of our core beliefs – part of who we are as a nation.

The purpose of this training is to give you the tools needed to do your job as an informed employee and help you understand your legal requirements relating to protecting the civil rights of our clients.

## **OBJECTIVES**

At the completion of the Civil Rights training you will be able to:

- List the six protected classes.
- Describe the notifications that must be present in the clinic and provided to each client
- Describe the client complaint process.
- Identify the non-discrimination clause that is required on all outreach materials
- Describe a civil rights review

## **Materials you will need:**

WIC Policy and Procedures Manual  
WIC forms – Financial Declaration and WIC-6

## **LEARNING ACTIVITIES**

### **Background – It’s the Law**

Civil rights laws in the United States have been around for over 200 years. They began when the original 13 states ratified the Constitution’s first 10 amendments, known as the Bill of Rights. An individual’s “civil rights” in the United States include, but are not limited to, the right to practice a religion freely, the right to be free from discrimination, the right to privacy, the right to travel freely, the right to free speech, the right to assemble peacefully, and the right to express opinions against the government.

According to Webster’s New World Dictionary civil rights are “those rights guaranteed to the individual by the 13<sup>th</sup>, 14<sup>th</sup>, 15<sup>th</sup> and 19<sup>th</sup> Amendments to the Constitution of the United States and by other acts of Congress; esp., the right to vote, exemption from involuntary servitude, and equal treatment of all people with respect to the enjoyment of life, liberty and property and to the protection of law”

When the term “civil rights” is used we often think of the civil rights movement of the 1960’s, which was largely about guaranteeing African-American the same opportunities as all other U.S. citizens. Since then many other “movements” or citizens efforts have been launched, that have opened a lot of other key civil rights legislation, such as the Older American Act of 1966 and the Americans with Disabilities Act of 1990.

What does all of this have to do with WIC? The WIC program, like all other federally funded programs, is guided, in part, by Title VI of the 1964 Civil Rights Act. Title VI states that "no person in the United States shall be discriminated against on the grounds of race, color or national origin, sex, age, religion or disability, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity." The U.S. Department of Agriculture (USDA), therefore, expects that WIC services will be available to all eligible persons in the same way that taxes are collected – without discrimination. .

## ¶ LEARNING ACTIVITY

1 – Read the “Statement of Responsibilities” found in the WIC manual on page 3 – pay particular attention to #9. This statement is essentially our “contract” with USDA.

### **Common Terms – Let’s Talk**

There are certain terms that we tend to hear over and over when we discuss protecting or violating civil rights. Let’s talk about some of those concepts - stereotyping, prejudice, discrimination and protected class.

Stereotyping is a preconceived or oversimplified general belief we hold about a particular group. Stereotypes allow us to quickly “classify” an individual based on our own experience or observations, what we have read, heard other people say, what we have been taught, etc. They are a type of “short cut” we use when we meet a new person to judge how we might interact. The danger of stereotyping is that it ignores an individual’s uniqueness and instead categorizes them as a member of a group who supposedly all think and behave the same way.

Stereotypes may be positive or negative. For example, we may believe that all members of a certain group are wealthy or do well in school. That’s a positive stereotype. On the other hand, we may believe that members of some other group are all lazy or don’t bathe. Negative stereotypes are frequently the foundation of prejudice.

## ¶ LEARNING ACTIVITY

1 – Complete the activity “What’s My Stereotype” on the following page:

### What's My Stereotype?

Let's start with the understanding that we all use stereotypes. What's important is to recognize your own stereotypes so that you can be more conscious about how you deal with people. Below are a few vignettes. Read them and answer the questions that follow. There are no "right" answers, so don't think too much, just write the first thing that comes into your mind without judging its political correctness. Then look at the other answers. What stereotype do you hold that led you to the answer you picked?

1 – You see a woman dressed in a tailored, gray suit and low heels. Where is she going?

Doctor's Appointment  Work  Job interview  Lunch or coffee with friends

Let's say she's going to work, what kind of job does she have?

Secretary or Assistant  Stay at home Mom  Accountant  Waitress  Lawyer

2 – A young woman with a small baby comes in to clinic to apply for WIC services. She has several other children with her. They all look like they could use a bath. Why are she and the kids dirty?

She has too much to do to worry about the kids being too clean  
 She and her children live in a trailer without running water  
 They just came from playing at the park  
 She is depressed and doesn't care about their appearance  
 She believes that dirty kids are happy kids

3 – A neatly dressed, 16 year old father brings his child to clinic. What statement best describes him?

He is irresponsible because he fathered a child so young and now expects the government to take care of her.  
 He is a good father because he is involved with his child  
 He's a good kid who made a mistake.  
 He's a high school dropout.

4 – You see a client arrive at clinic in a luxury car. You believe:

She will be financially ineligible for WIC  
 She caught a ride from a rich relative  
 It was probably her boyfriend who must be dealing drugs.  
 The owner of the car won it in a raffle.

Prejudice, as defined in Websters dictionary, is “A judgment or opinion formed before the facts are known, a preconceived idea, usually unfavorable, 2. A judgment or opinion held in disregard of facts that contradict it; unreasonable bias. B/ holding of such judgments or opinions 3. Suspicion, intolerance, or irrational hatred of other races, creeds, region occupations, etc...”

Prejudice is a learned concept. People are not born with prejudices but develop them as they go through life. For example, we may have learned attitudes about certain groups of people whom we have rarely been around, or we may form attitudes about an entire group of people based on our interactions with one person or a small group of people. Simply put, a prejudice is a negative stereotype that is rigidly applied without regard to the facts. For example, we may have been treated badly by someone from New York and, therefore, conclude that all people who live in New York are rude.

Discrimination takes prejudice and puts it into action. So, in the above example, we might decide that anyone from New York should not be invited to join our bowling league because “they just wouldn’t fit in”

USDA defines discrimination as “Any distinction of one person or a group of persons from others, either intentionally, by neglect, or by the effect of actions or lack of actions based on race, color, national origin, age, sex or handicap.”

You will notice that in the above statement, certain distinguishing characteristics are listed. For example a person can not be discriminated based on their age. These are what are called “Protected Classes”. They are the groups that Federal Law protects from discrimination.

#### Things to Think About

Our founding fathers, after years of British rule, obviously felt strongly about individual rights. Yet, our history has many examples of discrimination.

- Do you feel you have ever been discriminated against? How about anyone you know?
- What can we do in our own clinics to protect our clients and ourselves from discrimination?

### **COMPLETE SELF – CHECK Civil Rights A (at the end of the training)**

#### **Policy – The Nuts and Bolts**

Policy and procedures are the guidelines that help staff keep a clinic operating day-to day. In the case of civil rights policies, the federal or state government, is trying to ensure that persons seeking WIC services all have the same access to benefits and that they are aware of what to do if they feel they have experienced discrimination. These two principals are woven throughout Louisiana WIC policy.

#### Applying the Same Standards to Everyone

The same standards for determining eligibility and participation in the WIC program must apply to everyone regardless of sex, age, disability, race, color, religion or national origin. Our policy takes this one step further and also requires that people who are homeless or those who receive medical care somewhere other than our clinic must be treated the same as other clients. This includes everything from how clients are appointed to how nutrition education is provided to how benefits are issued.

So that everyone is aware of our policy, a copy of the USDA poster, “And Justice for All” must be displayed in the clinic where it can be easily seen.

## ¶ LEARNING ACTIVITY

1 – Read the following in the WIC manual

*Fair Hearings – 5.1.1*

*Application – 8.A and 8.2.A*

*Determination of Eligibility – 9.4.A (Not sure about the citation – its policy about blood drawing)*

*Waiting List – 13.C, 13.2.2, 13.4.3 B, 13.6.1.A*

*Private Patients – 14.C*

*Homeless – 19.B*

Things to think about

It's easy to say we provide services without discrimination, it is frequently more difficult to do. Consider the following scenarios, and think about how you would take care of these clients so they have the same opportunity to receive benefits.

- You have a pregnant teenager, who will be suspended from school if she “skips” to come to her WIC appointment. Clinic is only scheduled in the morning because staff is needed for other clinics in the afternoon. What do you do?
- Your clinic is in an old building that does not have handicap access. How would you serve a child in a wheelchair?
- A client who has recently immigrated from Vietnam is applying for WIC and does not speak English. How would you complete the application/certification?

## COMPLETE SELF – CHECK CIVIL RIGHTS B

Making Sure Everyone Knows Their Rights

Whenever someone applies for WIC services, is put on a waiting list, is certified, is denied benefits, suspended or terminated they must be informed of their right to a fair hearing. Essentially this is letting clients know that they have the right to complain if they feel they have been treated unfairly. This information is printed on the Financial Declaration and the Termination, Waiting List and Initial Denial Card (WIC-6).

## ¶ LEARNING ACTIVITY

1 – Read the following in the WIC manual

*Fair Hearings – 5A – 5.1.3*

*Determination of Eligibility – 9.3.2 and 9.3.6 A*

*Initial Denial/Termination/Suspension – 10.C*

*Waiting List – 13.4.1*

2 – Review the WIC Financial Declaration and WIC-6

Outreach

Outreach must be done in a culturally sensitive way and all outreach materials must contain the non-discrimination clause. Outreach materials are any materials used to inform potential clients or persons who might refer clients to WIC about the WIC program.

Things to think about

- Your clinic has decided to run a radio spot promoting WIC, how would you decide what station to put it on the local Spanish speaking station or an English station that has more listeners?
- You have a large Vietnamese population, how would you provide outreach to them?

### ¶ LEARNING ACTIVITY

1 – Read the following policies in the WIC Manual Outreach 6.A and 6.4.2.

2 – Look at several WIC materials and find the non-discrimination statements

## COMPLETE SELF – CHECK CIVIL RIGHTS C

### Complaints

Almost no one likes to get complaints, but they are a fact of life in any job that involves serving the public. In the best of businesses and organizations, complaints are seen as customer feedback that can point to areas needing improvements. So to make our service better, in general, we want to provide an atmosphere where it is acceptable to complain. For example, having complaint forms easily available, instead of filed away in some drawer, sends the message that we encourage feedback.

For the purposes of this discussion, there are two types of complaints that we need to discuss – a complaint over poor service or rude behavior, etc. and a complaint about being discriminated against.

The primary difference between how a “regular” complaint and a Civil Rights complaint are handled is who the complaint is sent to. A “regular” complaint is sent to the Regional Administrator, if the clinic is an Office of Public Health clinic, or to the WIC administrator, if the clinic is a contract clinic. A civil rights complaint however, is sent directly to the WIC director and forwarded to the USDA Regional Administrator.

Identifying a civil rights complaint can be trickier than it sounds. Sometimes people do not come right out and say that they feel they were discriminated against. Often you will need to listen carefully and ask some follow-up questions such as “Do you think that you were treated unfairly based on your sex, age, race, disability?”

### ¶ LEARNING ACTIVITY

1 – Read Fair Hearings/Civil Rights 5.1 – 5.3

2 – Obtain a copy of your clinics complaint policy and review it. For Office of Public Health Clinic read Policy Memorandum 188 Revised, August 15, 1994.

### Reporting Requirements

The State Agency is required to report to USDA periodically the race/ethnic breakout of our clients. Therefore, it is necessary for the clinics to gather this information

### ¶ LEARNING ACTIVITY

1 – Read the following in the WIC manual:

*Evaluation/Report – 4.A and 4.3.4 E*

*Determination of Eligibility – 9.5.2 A*

We are also required to do an annual review of civil rights in each clinic. Federal management evaluations frequently also include a review of our civil rights policies and how clinics are complying with these regulations.

## ¶ LEARNING ACTIVITY

1 – Read the following in the WIC manual:

*Evaluation/Report – 4.G, 4.2.11 and 4.7*  
*Determination of Eligibility – 9.5.2 A*

## COMPLETE SELF – CHECK CIVIL RIGHTS D

### Conclusion – Pulling It All Together

As WIC employees, you are expected to treat every person as a valued customer...because they are! You are expected to be as fair and consistent as you know how to be with each and every client who walks through the door regardless of their race, color, national origin, sex, age or disability. It is really not treating everyone the same, but treating everyone so that they have the same opportunity to participate

If a client is hearing-impaired or speaks another language, we must make sure that they are able to get the maximum benefits from the program in the same way that everyone is entitled to.

If a father has custody of his children, he should be treated as respectfully as anyone else.

If someone from another country comes dressed in a way that is unfamiliar or has practices that are unfamiliar, we will still continue to provide service in the most considerate and courteous way that we know how.

There are several common practices that many people and groups do not find respectful:

- Addressing customers as ‘you people’ or ‘those people’
- Making jokes that involve putting down other groups of people, for example jokes about people from other countries, races or who are disabled.
- An unwillingness to make accommodations for persons with needs that may require extra effort, such as persons needing interpreters or who may have children with special needs.

Extend basic human courtesy and respect. Follow WIC policies and procedures. Take time to explain the “why’s of clinic processes and procedures. This will go a long way to preventing complaints, especially when something is denied, changed, terminated, etc. or when a person is new to the program.

The “bottom line” in protecting the civil rights of your clients is providing good customer service for everyone. You may not be able to keep anyone from complaining, but you will know that you have done your best to protect the civil rights of our clients.

*We would like to acknowledge the Texas Department of Health, Bureau of Clinical and Nutrition Services, for their assistance creating this training module.*

After completing "WIC Civil Rights Training", please sign and date the following form.

Date

Signature and title of Staff Member/Training Participant

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**SELF-CHECK – CIVIL RIGHTS A**

1 – List the six protected classes

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**SELF – CHECK CIVIL RIGHTS B**

1 – True or False?

- The “And Justice for All” poster may be hung anywhere, just as long as it’s up somewhere
- Since homeless clients often lose drafts, it’s appropriate to bring them back to clinic every month for draft issuance
- When a waiting list is lifted, it’s best to provide benefits to clients that already have appointments for health services first.
- Children in wheelchairs must come to WIC clinic with their heights and weights already done.
- If a child and pregnant woman call for an appointment, it is not discrimination to give the woman an appointment before the child.
- A pregnant woman who practices Christian Science applies for WIC benefits. The clinic can not certify her unless she agrees to have a blood test for anemia.

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**SELF-CHECK CIVIL RIGHTS C**

1 – Who can sign the Financial Declaration (check all that apply)

- The applicant
- Clinic Staff
- The parent or guardian of an infant or child
- A proxy

2 – Which of the following materials would NOT require the non-discrimination statement (Check all that apply)?

- A pamphlet about the foods offered by the WIC program
- A radio announcement of a new WIC clinic opening.
- A notice about free immunizations at the WIC clinic.
- WIC Nutrition Education materials
- An advertisement for free pregnancy tests.

3 – How often is outreach required?

- Once a year
- When participation numbers are down.
- Whenever there is a request from a community group
- Twice a year

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**SELF-CHECK CIVIL RIGHTS D**

1 – How often are civil rights reviews completed? \_\_\_\_\_

2 – A client believes they have been denied WIC benefits because they are Muslim. Describe the complaint process

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\_\_\_\_\_

3 – A client comes to clinic and you can’t tell what racial group they belong to. What do you do? \_\_\_\_\_

**SELF – CHECK CIVIL RIGHTS A - Answers**

1 – List the six protected classes **Race, Color, National Origin, Age, Sex and Disability (or handicap)**

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**SELF - CHECK – CIVIL RIGHTS B - Answers**

1 – True or False?

- F* The “And Justice for All” poster may be hung anywhere, just as long as it’s up somewhere
  - F* Since homeless clients often lose drafts, it’s appropriate to bring them back to clinic every month for draft issuance
  - F* When a waiting list is lifted, it’s best to provide benefits to clients that already have appointments for health services first.
  - F* Children in wheelchairs must come to WIC clinic with their heights and weights already done.
  - T* If a child and pregnant woman call for an appointment, it is not discrimination to give the woman an appointment before the child.
  - F* A pregnant woman who practices Christian Science applies for WIC benefits. The clinic can not certify her unless she agrees to have a blood test for anemia.
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**SELF - CHECK – CIVIL RIGHTS C - Answers**

1 – Who can sign the Financial Declaration (check all that apply)

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2 – Which of the following materials would NOT require the non-discrimination statement (Check all that apply)?

- A pamphlet about the foods offered by the WIC program
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- A notice about free immunizations at the WIC clinic.
- WIC Nutrition Education materials
- An advertisement for free pregnancy tests.

3 – How often is outreach required?

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  - When participation numbers are down.
  - Whenever there is a request from a community group
  - Twice a year
- 

**SELF-CHECK CIVIL RIGHTS D - Answers**

1 – How often are civil rights reviews completed? **Annually**

2 – A client believes they have been denied WIC benefits because they are Muslim. Describe the complaint process ***The client must complete and mail a complaint form to the WIC Program Director. Since, this complaint alleges discrimination based on religion, the complaint must be forwarded to the Secretary of Agriculture. The forms must be readily available and the client must be provided with a stamped and addressed envelope. If the client can not or will not file the complaint, the staff member who received the complaint must offer to complete it for them.***

3 – A client comes to clinic and you can’t tell what racial group they belong to. What do you do? ***Ask the client what racial group they belong to. It may be necessary to explain that racial data must be reported to the government and does not affect WIC eligibility.***